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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,292	05/04/2001	Takashi Miyasaki	35.C15340	9605
5514	7590	07/23/2004	EXAMINER COFFY, EMMANUEL	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ART UNIT 2157	PAPER NUMBER
DATE MAILED: 07/23/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/848,292

Applicant(s)

MIYASAKI ET AL.

Examiner

Emmanuel Coffy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the application filed on 4 May, 2001. Claims 1-12 are pending. Claims 1-12 are directed to a method for a "Method and apparatus for intersystem cut/copy and paste."

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 U.S.C. §112 ¶2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the claimed invention. A reasonable artisan skilled in the art could not comprehend the claims as written. The claim recites: "...and status information generating means for generating status information of the users based on said statuses of the users recognized by said user status recognizing means and said present schedules retrieved by said schedule information retrieving means." This recitation is undefined within the claim language. It is not clear what the boundary of the claim is. Hence, the scope of the claim is unascertainable.

However, in order to expedite a more complete examination, the Examiner asserts that this invention is understood as: "and status information generating means for generating status information of the users and said statuses of the users recognized by said user status recognizing means."

3. Claims 2-6 are rejected by virtue of their dependency on claim 1.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-12 directed to a system are rejected under 35 USC 102(e) as being anticipated by O'Brien (US' 6,587,831).

O'Brien teaches a method for centrally creating a schedule for a group of company employees who may be geographically dispersed. (See abstract).

As to claim 1 O'Brien teaches a status information sharing system for managing status information of users who handle user terminal devices, comprising: (See Fig.1).

user status recognizing means for recognizing statuses of the users who handle said user terminal device; (See col. 3, lines 13-17)[distinguishing status of user who is handling the terminal: either manager and employee]. (See also col. 4, line 17).

schedule information retrieving means for retrieving present schedules from schedule information of the users; (See col. 7, lines 11-16).

and status information generating means for generating status information of the users based on said statuses of the users recognized by said user status recognizing means and said present schedules retrieved by said schedule information retrieving means. (See col. 3, lines 27-38).

Claim 2

Referring to claim 2, O'Brien teaches a system according to claim 1, wherein said schedule information retrieving means retrieves last schedules from said schedule

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information, and said status information generating means generates status information of the users based on said present and last schedules retrieved by said schedule information retrieving means and said statuses of the users recognized by said user status recognizing means. (See col. 7, lines 11-12).

Claim 3

Referring to claim 3, O'Brien teaches a system according to claim 1, wherein said schedule information retrieving means retrieves next schedules from said schedule information, and said status information generating means generates status information of the users based on said present and next schedules retrieved by said schedule information retrieving means and said statuses of the users recognized by said user status recognizing means. (See col. 4, lines 51-58).

Claim 4:

Referring to claim 4, O'Brien teaches a system according to claim 1, wherein said schedule information retrieving means retrieves past schedules from said schedule information, and said status information generating means generates status information of the users based on said present and past schedules retrieved by said schedule information retrieving means and said statuses of the users recognized by said user status recognizing means. (See col. 3, lines 30-32).

Claim 5:

Referring to claim 5, O'Brien teaches a system according to claim 1, further comprising: schedule information updating means for updating said present schedules of said

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schedule information based on said status information generated by said status information generating means. (See col. 3, lines 27-29).

Claim 6:

Referring to claim 6, O'Brien teaches a system according to claim 1, further comprising: counting means for counting a duration of a predetermined status if any of said statuses of the users recognized by said user status recognizing means is said predetermined status, wherein said status information generating means generates status information set in advance according to the duration counted by said counting means. (See col. 4, lines 1-19).

Claim 7:

Referring to claim 7, O'Brien teaches user terminal devices that are capable of communicating with a server device managing schedules of users who handle the user terminal devices, comprising: (See Fig. 1 and col. 3, lines 5-10; line 27-30).

user status recognizing means for recognizing statuses of the users who handle the user terminal devices; and (See col. 3, lines 13-17).

status information receiving means for receiving status information, which is generated based on said statuses of the users recognized by said user status recognizing means, from said server device. (See col. 4, lines 14-17 "Employee Data").

Claim 8:

Referring to claim 8, O'Brien teaches a server device that is capable of communicating with user terminal devices, comprising: (See Fig. 1 and col. 3, lines 5-10; line 27-30).

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schedule information retrieving means for retrieving present schedules from schedule information of users who handle said user terminal devices; (See col. 3, lines 27-33).

user status retrieving means for retrieving statuses of the users; and (See col. 7, lines 11-16).

status information generating means for generating status information of the users based on said present schedules retrieved by said schedule information retrieving means and said statuses of the users retrieved by said user status retrieving means. (See col. 3, lines 46-50; col. 4, lines 50-58).

Claims 9-12

These claims do not teach or define any significantly new limitation above and beyond claims 1-8 to warrant particular treatment, and therefore are rejected for similar reasons.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Coffy whose telephone number is (703) 305-0325. The examiner can normally be reached on 8:30 - 5:00 P.M.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel Coffy
Patent Examiner
Art Unit 2157

EC
July 20, 2004


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER